

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
DOCUMENT
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DATE FILED: 11/26/19

AARON HARPER, *individually and on behalf
of all others similarly situated,*

Plaintiff,

v.

2U, INC., CHRISTOPHER J. PAUCKE,
CATHERINE A. GRAHAM,

Defendants.

19-CV-7390 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On August 7, 2019, Plaintiff Aaron Harper filed a class action lawsuit on behalf of a class of investors who purchased or otherwise acquired 2U securities between February 25, 2019 through July 30, 2019. The complaint alleges violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 ("1934 Act"). After Plaintiff Harper filed a notice advising members of the purported class of the pendency of the action pursuant to 15 U.S.C. § 78u-4(a)(3)(A), nine members of the purported class moved for appointment as lead plaintiff, approval of selection of lead counsel, and consolidation. Only the motions of Public School Teachers' Pension & Retirement Fund of Chicago ("Chicago Teachers") and Fiyyaz Pirani remain pending before the Court.¹ A conference to consider motions for appointment of lead plaintiff and lead counsel and for consolidation is presently scheduled for December 6, 2019.

On October 16, 2019, Defendants filed a motion to transfer this action to the United States District Court for the District of Maryland pursuant to 28 U.S.C. § 1404(a). On November

¹ Plaintiffs Anders-Christian Moeller, Erik Fjellborg, Employees Retirement System of the Puerto Rico Electric Power Authority, DeKalb County Employees Retirement Plan, Aaron Harper, National Elevator Industry Pension Fund all filed notices of non-opposition to the competing motions for appointment as lead plaintiff, Dkt. 44, 49, 51, 52, 53, 54, and Plaintiff 2U Investor Group withdrew its motion, Dkt. 50.

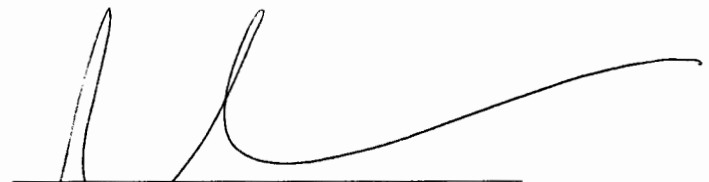
25, 2019, Proposed Lead Plaintiffs Chicago Teachers and Pirani both filed notices of non-opposition to Defendants' motion to transfer.

Defendants' unopposed motion to transfer is granted. 28 U.S.C. § 1404(a) provides: "For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented." Transfer to the United States District Court for the District of Maryland is appropriate here for the reasons articulated in Defendants' motion to transfer and because all parties have consented to it.

The conference to consider motions for appointment of lead plaintiff and lead counsel and for consolidation is hereby adjourned *sine die*. The Clerk of Court is respectfully directed to terminate the motions at Dkt. 45 and 48 and transfer the consolidated case to the District of Maryland.

SO ORDERED.

Dated: November 26, 2019
New York, New York



Ronnie Abrams
United States District Judge